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INTRODUCTION

This bibliography is in three parts. It begins with a historical section, which deals with the period 1941 - 1945 up to and including the San Francisco Conference. The second part records comparisons which have been made between the Charter of the United Nations and the Covenant of the League of Nations. The third and most extensive part deals with writings about the United Nations Charter itself. This part commences with a general section and this is followed by sections on specific Chapters and Articles of the Charter.

Citations to books, pamphlets, periodicals, articles and government reports have been included. Articles in newspapers have been included if the references were readily available, but no extensive search has been made for them. Few book reviews have been cited. The bibliography does not contain references to the official proceedings or other publications of the United Nations, the International Court of Justice and the specialized agencies. Texts of addresses made in United Nations meetings and later reprinted elsewhere have also been omitted. Nothing published later than December 1954 has been included.

The bibliography does not deal with all the activities carried on by the United Nations under the Charter. Selection has been confined to those items which discuss the interpretation of the Charter itself or which, in describing its implementation, make frequent references to the Charter. In the case of international economic and social co-operation, however, most of the literature does not deal with legal aspects of the Charter and therefore a more liberal policy of inclusion has been followed.

The references included under "Chapter XIV - The International Court of Justice and the Statute" in part III are those which deal either with the Court as an organ of the United Nations or with its Statute. Commentaries on cases before the Court have been entered when these cases involved the interpretation of the Charter or the Statute. These commentaries have been placed in the bibliography under that part of the Charter or the Statute with which they deal. Thus, material on the advisory opinion on the admission of new Members to the United Nations is to be found in "Chapter II - Membership" of part III. For a fuller bibliography of material on the International Court of Justice, the reader is referred to its Yearbook.

Most, but not all, of the material cited is in the United Nations Headquarters Library in New York. When it has not been possible to obtain and examine material referred to, the note "not seen" has been added to the entry. An item dealing with several Articles in different Chapters of the Charter has usually been placed under "Part III. The Charter of the United Nations. 1. General comment", unless it was decided that most of the comment concerned one of the Articles and that reference to the other Articles was more incidental. In such a case the item has been entered under the appropriate Article or Chapter. On the other hand, many items have been entered under more than one heading.

In part III, separate headings have been given to individual Articles (or groups of Articles) of the Charter only when the volume of literature seemed to justify it. Otherwise, items about individual Articles are to be found under the headings of the Chapter in which those Articles are included. The reader must remember also that items relating to some specific topics such as the relation of national constitutions to the Charter as a whole, will be found in "Part III. The Charter of the United Nations. 1. General comment". Items proposing or opposing revision of the Charter have been entered in "Part III. The Charter of the United Nations. 2. Revision", if they are general in character; items proposing or opposing the revision of individual Articles or Chapters are to be found under the heading for the appropriate part of the Charter.

It is realised that some relevant material may have escaped the notice of the compilers of this bibliography. Persons noticing such omissions are requested to send details of them to: The Director, United Nations Library, United Nations, New York, U.S.A.

INTRODUCTION

Cette bibliographie comporte trois parties. Elle commence par une section historique qui a trait à la période 1941-1945 et s'arrête à la fin de la Conférence de San Francisco. La seconde partie porte sur les études comparatives entre la Charte des Nations Unies et le Pacte de la Société des Nations. La troisième partie, la plus considérable, est consacrée aux études sur la Charte elle-même.

Les références insérées dans la bibliographie comprennent des livres, des brochures, des articles de périodiques et des rapports officiels. On a cité très peu d'articles de journaux, car ils n'ont fait l'objet d'aucun dépouillement systématique. Peu de critiques de livres sont incluses. La bibliographie ne contient aucune référence aux comptes rendus officiels ou autres publications des Nations Unies, de la Cour Internationale de Justice et des organisations spécialisées. Ont été omis les textes de discours prononcés au cours de réunions des Nations Unies et reproduits ensuite dans des publications non officielles. Seules les références antérieures à janvier 1955 ont été incorporées.

La bibliographie ne s'étend pas à toutes les fonctions exercées par les Nations Unies en application de la Charte. On s'est limité aux commentaires qui portent sur l'interprétation de la Charte elle-même ou qui, tout en traitant de son application, se réfèrent fréquemment à la Charte. On a très peu publié sur la coopération économique et sociale envisagée sous l'angle de l'interprétation juridique de la Charte. Aussi a-t-on cru utile de faire, là, un choix plus large.

La rubrique "Chapitre XIV - La Cour Internationale de Justice et le Statut", dans la troisième partie, contient les références bibliographiques sur la Cour en tant qu'organe des Nations Unies, aussi bien que sur son Statut. Quant aux affaires portées devant la Cour, on n'a jugé bon de les inclure dans la bibliographie que lorsqu'elles mettaient en cause l'interprétation de la Charte ou du Statut. Elles sont alors placées dans la section de la Charte ou du Statut à laquelle elles ont trait. Ainsi, tout ce qui concerne l'opinion consultative sur l'admission de nouveaux membres se trouve au "Chapitre II - Membres" dans la troisième partie. Si l'on veut consulter une bibliographie plus complète sur la Cour Internationale de Justice, il faut se reporter à l'Annuaire de la Cour.

La plus grande partie, mais non la totalité, des publications citées se trouve à la Bibliothèque du Siège des Nations Unies à New York. Quand il n'a pas été possible de se procurer et d'examiner l'une des publications citées, on l'a fait suivre de la mention "not seen". Toute étude qui traite à la fois de plusieurs Articles appartenant à différents Chapitres de la Charte est généralement placée dans la section "Troisième Partie. La Charte des Nations Unies. 1. Commentaires généraux", sauf si l'on juge que la partie la plus importante du commentaire concerne un Article déterminé et que les autres Articles ne sont traités qu'incidemment. Dans ce dernier cas, c'est avec l'Article ou le Chapitre en question que l'on classe cette étude. Signalons également que beaucoup de titres apparaissent sous plus d'une rubrique.

Dans la troisième partie on n'a attribué de rubriques distinctes aux différents Articles ou groupes d'Articles que dans la mesure où l'existence d'un nombre suffisant de références bibliographiques le justifiait. Autrement il faut chercher les études concernant tel ou tel Article sous les rubriques du Chapitre dont il fait partie. Quant aux études consacrées à un sujet spécial tel que la relation entre les constitutions nationales et la Charte dans son ensemble, on les trouvera dans "Troisième Partie. La Charte des Nations Unies. 1. Commentaires généraux". Les études qui prennent position pour ou contre la révision de la Charte ont été placées dans "Troisième Partie. La Charte des Nations Unies. 2. Révision", si elles sont d'un caractère général; si au contraire elles concernent des Articles ou des Chapitres distincts, on les trouvera sous la rubrique attribuée à la partie correspondante de la Charte.

Quelques références utiles peuvent avoir échappé à l'attention des compilateurs de cette bibliographie. Les personnes relevant de telles omissions sont invitées à les signaler en écrivant à l'adresse suivante: Monsieur le Directeur, Bibliothèque des Nations Unies, Nations Unies, New-York, USA.

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3. SAN FRANCISCO CONFERENCE

(See also: Dumbarton Oaks proposals; Yalta and Mexico City Conferences)

3. CONFERENCE DE SAN FRANCISCO

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ARTICLE 1/3 HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
(See also: Articles 55-56 Universal respect for, and observance of, human rights and fundamental freedoms)

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(See also: Chapter VIII, Regional arrangements)

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Chapitres XII et XIII - REGIME INTERNATIONAL DE TUTELLE (Articles 75-85) ET CONSEIL DE TUTELLE (Articles 86-91)

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On n'a pas jugé utile de renvoyer des organisations aux périodiques qu'elles publient sauf lorsqu'il s'y trouvait un article exprimant le point de vue de l'organisation sur tel ou tel sujet. Ainsi, par exemple, on trouvera sous "United Nations Association of Great Britain and Northern Ireland" les publications de cette organisation qui ont paru comme monographies avec ou sans auteurs individuels; aucun renvoi n'est fait, par contre, aux numéros de sa revue United Nations news.

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